

## PUBLICATION UPDATE

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# California Forms of Jury Instruction

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Publication 138      Release 56

October 2011

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### HIGHLIGHTS

#### Unfair Competition

- California Supreme Court has held that “reliance” in the 17200 context is reliance on a statement for its truth and accuracy. See Ch. 19A.

#### New and Revised CACI

- June 2011 CACI changes are incorporated, including four new and 58 revised instructions.

**Unfair Competition.** For purposes of a Section 17200 action, the California Supreme Court has held that “reliance” in the fraud context means reliance on a statement for its truth and accuracy. See Ch. 19A, *Matthew Bender Insurance Fraud and Deceit Instructions*, MB 1900A.24[3].

**Interference With Contractual Relations.** The federal Northern District court has held that the tort of interference does not apply when the plaintiff was induced to breach a contract with a third party, did so, and then attempted to recover damages

from the inducing party for intentional interference with contractual relations. See Ch. 22A, *Matthew Bender Interference With Economic Relations Instructions*, MB 2200A.03[3].

**Insurance.** In a homeowners’ policy covering the “actual cash value” of the insured’s house with a building structure endorsement covering up to 150 percent of the liability limits, the endorsement does not increase the policy limits, but rather modifies the manner of payment pursuant to the endorsement if the insured repairs or rebuilds the house. See Ch. 23A, *Matthew Bender Insurance Contract Instructions*, MB 2300A.210[3].

**New and Revised CACI.** This release includes these CACI changes, approved at the June 24, 2011, Judicial Council of California meeting:

- 4 new instructions
- 58 revised instructions
- 29 instructions with sources and authority

**Finding Aids.** The index and table of

cases citing CACI are updated in this release.

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| <b>FILING INSTRUCTIONS</b> |
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# **CALIFORNIA FORMS OF JURY INSTRUCTION**

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Publication 138    Release 56

October 2011

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- ☐ 2. This Release Number 56 contains only White Revision pages.
- ☐ 3. Circulate the "Publication Update" among those individuals interested in the contents of this release.

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## VOLUME 1

### Revision

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